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Letter dated 29 August 2006 from the Acting Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism, addressed to the President of the Security Council

The Counter-Terrorism Committee has received the attached fifth report of Chile submitted pursuant to paragraph 6 of resolution 1373 (2001) as well as Chile's response to resolution 1624 (2005) (see annex). I would be grateful if you could arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Adamantios Th. **Vassilakis**
Acting Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

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Annex

[Original: Spanish]

Letter dated 25 August 2006 from the Permanent Mission of Chile to the United Nations addressed to the Chairman of the Counter-Terrorism Committee

I have the pleasure to transmit to you herewith a copy of the fourth supplementary report submitted by the Government of Chile to the Counter-Terrorism Committee.

I should like to point out that the said report has been prepared on the basis of data provided by various national institutions, including the Ministry of the Interior, the Ministry of National Defence, the Ministry of Justice, the Ministry of Finance and others.

(*Signed*) Heraldo **Muñoz**
Ambassador
Permanent Representative

Enclosure*

Fourth supplementary report submitted by Chile pursuant to Security Council resolution 1373 (2001)

On 20 December 2005, the Counter-Terrorism Committee sent to the Government of Chile a communication thanking it for its letter of 12 May 2004 containing our country's fourth report, submitted in compliance with the Committee's request and pursuant to paragraph 6 of resolution 1373 (2001).

The Committee states that with the assistance of the experts of its Executive Directorate (CTED) it has carefully considered the reports submitted on the subject by Chile and other relevant information. The Committee asks to be provided with further information concerning the points contained in section 1 on "implementation measures". In this regard, the Committee formulates a series of observations and questions.

The Committee also requests from Chile information on the implementation of the provisions of resolution 1624 (2005), on additional measures to combat terrorism, and, in particular, on the questions formulated in section 2.

For all these reasons, Chile hereby submits its responses to the new questionnaire prepared by the Committee.

1. Implementation measures

Effectiveness of protection of the financial system

1.1 With respect to the freezing of funds as prescribed by paragraph 1 (c) of resolution 1373 (2001), Chile has indicated that financial assets and other economic resources may be frozen provided that they are associated with a crime, including laundering the proceeds of terrorist acts, and that a judicial authorization is granted.

- **The Committee would be grateful for clarification as to whether the freezing of assets can take place on reasonable suspicion of a link to terrorist acts, whether or not these acts take place.**

Funds may be frozen whenever there exist reasonable suspicions that the person concerned is connected with terrorist acts, insofar as this is done within the context of a criminal investigation relating to a specific crime.

Consequently, measures to freeze funds may be ordered only upon prior authorization by the *juez de garantía* (judge charged with safeguarding defendants' rights) within the framework of a criminal investigation relating to some crime.

Under our special legislation relating to terrorist offences, various acts can be characterized as constituting punishable offences which, depending on the circumstances, may warrant applications for the freezing of assets.

* Attachments referred to in the report are on file with the Secretariat, room S-3055, and are available for consultation.

First of all, article 2, paragraph 5, of Act No. 18,314 defines the crime of unlawful association, the purpose of which is to commit crimes that must be qualified as terrorist offences. The crime of unlawful association is consummated by the mere coming together of two or more persons for the said purpose — to commit terrorist acts — in a structured and hierarchical manner, it being irrelevant whether or not the crimes for which the association was formed are actually committed. Consequently, measures for the freezing of assets might be applied for and ordered within the framework of an investigation of an unlawful terrorist association irrespective of whether the terrorist acts for which the criminal organization was formed were committed or not.

Secondly, if the investigation concerns a crime of terrorist financing, freezing measures may be applied for and ordered irrespective of whether the terrorist acts financed by the suspect have been committed or not. This is expressly provided by article 8 of Act No. 18,314.

Lastly, it should be pointed out that article 7 of the said Act provides that a serious and credible threat to commit any terrorist offence is punishable as an attempt. Similarly, conspiracy to commit a terrorist act will be punished by the penalty corresponding to the consummated crime, reduced by one or two degrees. This rule makes it possible to punish acts that are merely preparatory to a terrorist offence proper. In such a context, too, application may be made for measures to freeze assets, notwithstanding the fact that the illegal act may ultimately not be carried out or consummated.

Moreover, the Superintendency of Securities and Insurance has the power to apply to the competent court to order the precautionary measures provided by law, under the following conditions:

(a) It must be a case of use of privileged information, which is governed by Title XXI of Act No. 18,045;

(b) The step may be taken for the sole purpose of watching out for the interests of third parties prejudiced by the acts in question;

(c) The application must be made to an ordinary court. Hence such measures shall take effect only upon being ordered by such a court.

- **The Committee would also appreciate an update on Chile's consideration of the introduction of draft legislation for the freezing of funds and other assets at the administrative level pending judicial authorization.**

There are no changes in this regard.

1.2 **With respect to the suppression of the financing of terrorism pursuant to paragraph 1 (a) of resolution 1373 (2001), Chile has indicated that a financial analysis and intelligence unit has been established with a specific mandate to prevent use of the financial sector for commission of the offence of laundering the proceeds of a host of criminal offences, including terrorism. The Committee would appreciate further information on this unit's functions and contacts and on the extent of its autonomy in fulfilling its mandate.**

Chile has indeed established a financial intelligence unit, known as the Financial Analysis Unit. The Unit was created by Act No. 19,913, which was published in the Official Gazette of 18 December 2003. A copy of the said Act was provided to the Committee on an earlier occasion.

Its purpose, as pointed out to the Committee in the previous report submitted by our country, is to prevent the financial system and other sectors of economic activity from being used for the perpetration of any of the offences described in article 19 of the said Act.

As already pointed out to the Committee, this Act modified the criminal definition of money-laundering, extending it to other basic offences, including those provided for in Act No. 18,314, on terrorist acts, which specifically establishes the criminal offence of terrorist financing.

The functions of the Unit, specified in article 2 of Act No. 19,913, are as follows:

> Article 2: The Financial Analysis Unit shall have only the following powers and functions, which it may exercise anywhere within national territory:
>
> (a) To request, check, examine and archive the information referred to in article 3 of this Act;
>
> (b) To order expert investigations, which it may entrust to public or private institutions;
>
> (c) To organize, maintain and manage archives and databases and possibly integrate them, subject to proper safeguards and protection, with national and international information networks with a view to the proper performance of their functions;
>
> (d) To recommend measures to the public and private sectors with a view to preventing the perpetration of the offences provided for in article 19 of this Act;
>
> (e) To provide generally applicable instructions to the persons enumerated in article 3, paragraph 1, and article 4, paragraph 1, for proper satisfaction of the requirements established in paragraph 2 of this Title, compliance with which may be checked by the Unit at any time;
>
> (f) To exchange information with counterparts in other countries, for which purpose the Unit must make sure that such information will not be used for different purposes and that the applicant entity will operate on a basis of reciprocity should it be asked to provide information;
>
> (g) At least once a year, to analyse the information referred to in article 5 of this Act.

It should be pointed out, however, that the Financial Analysis Unit Act is in the process of being amended. The amendments in question, which grant new powers to the Unit, are expected to be published as law in the Official Gazette during the current month. The texts of the amendments are as follows:

> 1. The following subparagraph (b) is incorporated into the first paragraph of article 2, the present subparagraphs (b) to (g) becoming (c) to (h), respectively:

(b) To request, from any of the natural or artificial persons referred to in article 3 hereof, such records as, in connection with the review of a suspicious transaction previously reported to the Unit or detected by it in the exercise of its duties, prove necessary for and relevant to the carrying out or completion of the analysis of such transaction and those which it must obtain pursuant to subparagraph (g) of the present article. Persons from whom such information is requested shall be required to provide it within the time limit imposed for that purpose.

Should the records to which this subparagraph relates be protected by secrecy or confidentiality or should it be necessary to request them from a person not referred to in article 3 hereof, the request must be authorized in advance by the judge of the Court of Appeals of Santiago designated by lot by the president of the said Court in the act of formulating of the request. The judge shall decide without any hearing or intervention of third parties. Both the request for records protected by secrecy or confidentiality that is made by the Unit and the decision of the court must be founded on specific facts that justify them, which shall be expressly recorded in both documents. If the petition is denied, the Financial Analysis Unit may appeal. The appeal shall be handled, in a summary proceeding and without further formalities, by the accounts division of the said Court as soon as the records are received. The file shall be handled in secrecy and returned in its entirety to the Unit once a decision has been rendered on the appeal.

The records requested pursuant to this subparagraph shall be provided free of charge and shall not be subject to duties or taxes of any kind.

As provided in article 303 of the Code of Criminal Procedure, persons who for reasons of secrecy are not obliged to declare shall not be subject, solely in respect of matters to which such secrecy relates, to the provisions of this subparagraph.

2. The following subparagraphs (i) and (j) are added to the first paragraph of article 2:

(i) To have access, in the manner agreed upon with the chief of the entity in question, to such information and records existing in the databases of public agencies as, in connection with the review of a suspicious transaction previously reported to the Unit or detected by it in the exercise of its duties, prove necessary for and relevant to the carrying out or completion of the analysis of such transaction and those which it must obtain pursuant to subparagraph (g) of this article. In the event that any record is protected by secrecy or confidentiality, the provisions of the second paragraph of subparagraph (b) of this article shall apply;

(j) To impose the administrative sanctions established by this Act.

With regard to cooperation, it may be pointed out that the Financial Analysis Unit has been a member of the Egmont Group since 2004, in addition to belonging to the Inter-American Drug Abuse Control Commission, in which guidelines for international cooperation have been established for that purpose. In addition, Chile belongs to the Financial Action Task Force for South America (GAFISUD), in which it has subscribed and adhered to cooperation initiatives and mutual evaluations to comply with the 40 + 9 recommendations against money-laundering

and terrorist financing. To date it has signed 17 specific memorandums of understanding on cooperation.

The degree of autonomy of the Financial Analysis Unit is clearly indicated in Act No. 19,913, where the Unit is defined as a decentralized public agency having legal personality and its own assets. Article 13 of the Act establishes the obligation of secrecy for Unit employees with regard to any information directly or indirectly related to their office. The sole exception is an annual report to be issued to the Finance Committee of the Chamber of Deputies, which will itself be delivered at a closed session.

It should be mentioned that a further factor contributing to autonomy is that the Financial Analysis Unit is an agency the appointment of whose director and other executives takes place under the High-Level Public Management System, by means of public competitions.

1.3 **Pursuant to paragraph 1 (a) of resolution 1373 (2001), financial institutions and other intermediaries should identify their clients and report suspicious financial transactions to the relevant authorities. The Committee would like to know how many suspicious transaction reports (STRs) have been received by the financial analysis and intelligence unit, particularly from the insurance sector, currency exchange offices and securities firms, how many STRs have been analysed and disseminated and how many have led to investigations, prosecutions or convictions.**

As already pointed out, under an express provision of Act No. 19,913 (article 13), the Financial Analysis Unit cannot turn over data regarding its operation and management to any body other than the Finance Committee of the Chamber of Deputies, in a closed session. In consequence, concerning what has been reported by that entity, it is not possible to comply with the request made in this paragraph owing to limitations imposed by Chile's domestic legislation.

Also excepted from the obligation to maintain secrecy are information and records requested by the Office of the Public Prosecutor or the court trying a criminal case for any of the offences established as a basis of money-laundering.

However, it should be pointed out once again that the legislative formalities have been fully completed for the bill amending Act No. 19,913 and that the bill expressly stipulates the possibility of providing the information required for statistical purposes, without the contents being personalized. The said bill, as mentioned, is now in the promulgation stage.

1.4 **Pursuant to paragraph 1 (d) of resolution 1373 (2001), States should have legal measures in place to regulate alternative currency transfer systems and informal banking networks. In light of Chile's update on the new Central Bank regulations governing the transactions, including the electronic transfer of information and funds, the Committee would appreciate additional information regarding the licensing and registration of services operating outside the formal financial sector, the regulations governing their operation, how their activities are monitored and any penalties for non-compliance.**

With regard to the rules governing money-changing operations effected by agents operating outside the formal financial system, Chile's Internal Taxation

Service passed Exemption Order (Resolución Exenta) No. 117 of 30 December 2004 establishing the obligation to make an annual sworn declaration, using an electronic form, on foreign-currency transactions and the exchange of securities in such currencies and also establishing, for transactions amounting to US$ 10,000 or more, the obligation for such entities to demand that their customers exhibit their Tax Identification Number (*rol único tributario*), passport or document of entry into the country.

Failure to comply with the said requirement is punishable, under article 97, No. 1, of the Tax Code, by a fine of from 1 UTM (*Unidad Tributaria Mensual* — monthly tax unit) (31,601 Chilean pesos as of May 2006) to 1 UTA (*Unidad Tributaria Annual* — yearly tax unit) (379,212 Chilean pesos as of May 2006). In the event that such declaration is demanded subsequently in connection with a warning issued by the Service and the taxpayer fails to comply with the request within 30 days, a fine shall be applied in addition, ranging up to 2 UTM per month or fraction of a month of delay per person omitted, the maximum being 30 UTA. The exclusion of reportable data constitutes the infraction established in article 109 of the Tax Code, for which the fine is from 1 per cent to 100 per cent of 1 UTM or up to three times the tax evaded if the violation entails tax evasion.

Moreover, Internal Taxation Service Decision No. 120 of 31 December 2004 established the obligation to submit an annual sworn declaration, using an electronic form, for all entities domiciled or resident in Chile which perform, on behalf of third parties, operations involving remittances, payments or transfers of funds abroad, the importing of funds from abroad or operations involving the disposal of funds abroad. The said declaration must be submitted before 15 March of each year for the operations of the preceding business year, with details on those operations whose value is US$ 10,000 or more or the equivalent thereof.

Failure to comply with the said obligation within the time limit indicated is punishable by a fine of from 20 to 100 per cent of 1 UTA, as provided in article 97 of the Tax Code, and the submission of a declaration containing errors or omissions constitutes the violation for which punishment is provided in article 109 of the said Code.

1.5 **In order effectively to implement paragraph 1 (d) of resolution 1373 (2001), States should have in place mechanisms to register, audit and monitor the collection and use of funds and other resources by charitable and other non-profit organizations in order to ensure that these funds are not diverted from their stated purposes.**

- **The Committee would appreciate additional details regarding Chile's verification of the financial accounting of charitable organizations. Specifically, is verification conducted at field level, where funds are spent, in order to prevent their diversion?**
- **What safeguards are in place to ensure that the funds collected by non-profit entities operating abroad are not diverted and how does Chile cooperate and exchange information with other States in that regard?**

With regard to this subparagraph, our legal system establishes supervision of public-law corporations and foundations as one of the powers of the Ministry of Justice. In the exercise of the said power, the Ministry may demand that

corporations and foundations submit to it for consideration the minutes of meetings; approved accounts and reports; account, inventory and payment ledgers; and reports of all types relating to their activities, fixing a time limit for that purpose. Failure to submit such records complete and in a timely fashion enables the Ministry to demand the immediate delivery of the requested records, for which purpose a written order of the Assistant Attorney General shall suffice.

1.6 **With respect to the implementation of paragraphs 1 (a) and (d) of resolution 1373 (2001) and of article 5 of the International Convention for the Suppression of the Financing of Terrorism, has Chile taken measures to establish the civil, criminal or administrative liability of legal persons for criminal offences, in particular offences related to terrorist activities? Please provide an outline of the relevant legislation. Is it possible to assign liability to a legal person in cases where no natural person has been identified or convicted? In that regard, the Committee would appreciate statistics on the number of cases where sanctions for the provision of support to terrorists or terrorist organizations have been imposed on:**

- **Non-profit organizations**;
- **Financial and non-financial institutions**;
- **Other financial intermediaries**.

In Chile, legal persons may be sanctioned only in civil or administrative proceedings. Chilean law does not permit criminal judgements against them. In Chile no criminal responsibility exists for legal persons, as provided in article 58, paragraph 2, of the Code of Criminal Procedure:

> Criminal responsibility may be enforced only against natural persons. In the case of legal persons, the individuals who have taken part in the punishable act are answerable, without prejudice to the civil liability which such legal persons may incur.

In consequence, legal persons may be punished for financing terrorism when the natural persons acting through them solicit or collect funds or provide funds to terrorist organizations or individual terrorists.

As can be seen from the rule cited above, legal persons may be answerable for civil or administrative liability. In other words, there is nothing to prevent the institution of administrative or civil proceedings aimed at imposing liability concerning such matters. Civil liability, moreover, may be imposed even during criminal proceedings, provided that there exists a victim who takes civil action.

Effectiveness of counter-terrorism measures

1.7 **The Committee would like to know whether Chile has provided administrative, investigative, prosecutorial and judicial authorities with training in the enforcement of laws related to:**

- **Typologies and trends in terrorism financing methods and techniques**.
- **Techniques for the tracing, seizure and confiscation of criminal property and funds**.

The Government of Chile provides instruction to its administrative authorities that are competent in such matters. In addition, it makes every effort to ensure that, within its sphere of competence, every organization takes care to keep its staff duly trained and up to date on the ways in which terrorist financing works and the most effective control strategies for repressing it.

In other, individual, areas, the Superintendency of Securities and Insurance takes part in periodic activities relating to training and updating of know-how for preventing and combating money-laundering and terrorist financing, organized by GAFISUD. Employees of the Superintendency participate jointly with other administrative and police authorities in seminars and other training activities in the anti-money-laundering field and the field of financial investigation techniques.

The Public Prosecutor's Office constantly trains specialized prosecutors as well as legal advisers regarding terrorist financing and the techniques of tracing, attachment and confiscation of goods and funds derived from a criminal offence. First of all, through the Specialized Unit on Money-laundering, Economic Crime and Organized Crime (*Unidad Especializada en Lavado de Dinero, Delitos Económicos y Crimen Organizado — ULDDECO*) of the Office of the National Public Prosecutor (*Fiscalía Nacional*), which is qualified to advise and train specialized prosecutors on terrorist offences in general and the financing of terrorism in particular, constant training is provided both for inspectors and for legal advisers and prosecutors' assistants in this field on money-laundering, one of the basic offences of which is terrorist financing.

ULDDECO trains through specialized prosecutor seminars held from time to time in the Office of the National Public Prosecutor and visits made by its attorneys and analysts to different regions to provide training and achieve greater coordination among the institutions involved in the detection and repression of crimes of money-laundering, including terrorist offences.

In addition, ULDDECO participates, often together with specialized prosecutors, in training events organized and carried out by international organizations. Specifically, in May 2006 it took part in two training events on terrorist financing, one organized by GAFISUD jointly with the Chilean Financial Analysis Unit and another by officials of the United States Federal Bureau of Investigation (FBI).

1.8 In order effectively to implement resolution 1373 (2001), States should have in place effective and coordinated executive machinery and should develop and implement adequate national and international counter-terrorism strategies. Please explain how Chile's counter-terrorism strategy and policy deal with the following forms of counter-terrorist activity:

- **Criminal investigation and prosecution;**
- **Inter-agency cooperation;**
- **Strategic analysis and forecasting of emerging threats;**
- **Analyses of the efficiency and effectiveness of counter-terrorism legislation and relevant legislative amendments;**
- **Border and immigration controls;**

- **Monitoring and prevention of trafficking in drugs, weapons, ammunition and explosives.**

The Committee would appreciate an outline of Chile's legislation, administrative procedures and best practices in these areas.

With regard to criminal investigation and prosecution, under article 83 of the Constitution and Act No. 19,640, the Constitutional Organic Law of the Public Prosecutor's Office, the latter is the agency charged with directing, on an exclusive basis, the investigation of criminal acts, acts that constitute punishable participation and facts that establish the innocence of the accused and, if appropriate, bringing public criminal action.

The Public Prosecutor's Office has the power to give direct orders to law-enforcement and security forces during the investigation. However, measures that deprive the accused or third parties of the exercise of their rights under the Constitution or restrict or interfere with those rights require prior judicial approval.

In addition, as provided by article 19 of the Code of Criminal Procedure, all State authorities and agencies must take the steps and provide, without delay, the information requested of them by the Public Prosecutor's Office and courts competent in criminal matters.

With respect to inter-agency cooperation, at the administrative level there exist a set of regulations and good practices concerning information exchange among a variety of State institutions having direct and indirect jurisdiction regarding such matters. Two main lines of action may be distinguished: the first revolves around the articulation and coordination of agencies whose particular management has an impact on the prevention of terrorism, while the second relates to the exchange of intelligence among agencies empowered by law for that purpose.

In the area of strategic analysis, there exists the State Intelligence System, governed by Act No. 19,974. The System embraces all the mutually independent but functionally coordinated intelligence agencies which not only direct and carry out specific intelligence and counter-intelligence activities in order to advise the President of the Republic and the various top levels of State management, with a view to protecting national sovereignty and preserving constitutional order, but also formulate intelligence assessments that are of use for the achievement of national objectives.

The agencies that make up the System, notwithstanding their dependency on and obligations towards their respective superiors, must interact through the information exchange and cooperation established by the said Act and the legal system.

According to article 5 of the Act, the System is composed of the National Intelligence Agency (ANI), the Defence Intelligence Directorate of the National Defence General Staff, the intelligence departments of the armed forces and the intelligence directorates or departments of the law-enforcement and public-security forces.

Among these institutions, the National Intelligence Agency has as one of its specific functions to order the application of intelligence measures for the purpose of detecting, neutralizing and countering the action of terrorist groups, whether national or international, and of transnational criminal organizations.

In addition, as provided in article 6, there is an instrumentality for technical coordination between the agencies that make up the System, whose purpose is to optimize, regulate, review and evaluate the flow and exchange of intelligence and to facilitate cooperation.

On the subject of border and immigration controls, Chilean legislation on immigration establishes, in articles 15 and 16 of Decree-Law No. 1,094 of 1975 (Aliens Act), specific grounds for permitting the immigration authority to prohibit the entry into the country of certain aliens who act against public order or national security.

Under article 10 of the Aliens Act and article 4 of Supreme Decree No. 597 of 1984 (Aliens Regulation), it is the task of the Chilean Investigative Police (*Policía de Investigaciones*) or, in places where no Investigative Police units exist, of Carabineros de Chile (national police force), to control aliens' entry into and departure from the country and prevent persons who do not meet the requirements from entering or leaving national territory.

Article 29 of the Aliens Regulation provides that the control authorities shall be required to deny entry to foreigners who come under any of the grounds for prohibition of entry into the country, on the basis of the records available to them, registrations and/or information channelled through the International Criminal Police Organization (Interpol). Moreover, the said authorities must report the adoption of such measures to the Ministry of the Interior, which, should it confirm them, will issue the appropriate decision or decree.

Beyond the normative aspects, it is important to point out that Chile considers migration control functions as constituting one of the pillars of its anti-terrorism strategy. For that reason it encourages the training of control officers, continually incorporates state-of-the-art technology in the areas of identification of persons and issuance of documents and, generally speaking, through the coordination of the agencies that deal with such matters.

In the sphere of monitoring and prevention of trafficking in drugs and in weapons, ammunition and explosives, it should be pointed out that, with regard to the first, Act No. 20,000 provides penalties for illegal traffic in drugs and psychotropic substances. The second point is covered by Act No. 17,798, on arms control, the redrafted, coordinated and systematized text of which was established by Supreme Decree No. 400 of 1978. The Decree has been constantly updated with a view to establishing greater requirements for access to and possession of items subject to control.

Act No. 18,314 constitutes a primary normative corpus in the definition of terrorist offences and the regulation of various subjects relating to investigation and to the judicial procedure applicable to such offences. Side by side with these regulations of a special and specific nature, which are to be applied primarily, we also find rules of a general character that are also applicable, basically in the Code of Criminal Procedure and the Organic Code of Courts (*Código Orgánico de Tribunales*).

Subject to special provisions contained in Act No. 18,314 relating to terrorist offences, the Code of Criminal Procedure is fully applicable in that it governs criminal investigation by the Public Prosecutor's Office and the applicable procedure in all respects not expressly provided for in Act No. 18,314, since in such

cases the latter must be applied owing to its special nature. Thus, for example, where the act establishing terrorist offences does not contain any special rule regarding freezing, confiscation and seizure of property, the rules contained in the Code of Criminal Procedure apply.

If a terrorist offence is being investigated as the underlying offence of money-laundering, the special rules of investigation and procedure applicable are those contained in Act No. 19,913, which created the Financial Analysis Unit and amended various provisions relating to money-laundering. This Act in turn refers, with regard to investigation methods and procedure, to the regulation contained in the Act No. 20,000, which provides penalties for illicit traffic in drugs and psychotropic substances.

Act No. 18,314 applies in respect of investigation methods and procedure, taking precedence over the general rules contained in the Code of Criminal Procedure. The latter is used where the Act is silent or contains no governing provision. Specifically, the said Act governs the following aspects:

- Reduction of penalties for persons who cooperate in the investigation (article 4);
- Persons entitled to bring charges: charges may be brought by the Ministry of the Interior, the regional administrators (*intendentes regionales*), provincial governors and garrison commanders (article 10);
- Extension of periods of detention and official opening of investigation (article 11);
- Special precautionary and investigative measures: confinement of the accused in places specially designed for that purpose, restrictions on visits and interception and recording of telephone and computer communications and correspondence by mail and telegram (article 14);
- Possibility for the Public Prosecutor's Office to apply for judicial authorization to carry out investigative measures that so require even before the official start and without the prior knowledge of the person concerned (article 14);
- Measures for the protection of witnesses and special experts (articles 15-21).

In addition, Carabineros de Chile cooperates with various foreign police intelligence units in the region as well as with those of a national character, such as the Investigative Police and the National Intelligence Agency. Advantage is also taken of the ongoing cooperation that takes place within the framework of the Southern Cone Common Market (MERCOSUR), the Latin American Community Summit and the Latin American and Caribbean Community for Police Intelligence (CLACIP).

Regarding strategic analysis and the forecasting of emerging threats, Carabineros de Chile constantly monitors all situations that might constitute terrorist threats affecting the country or possibly serving as a launching pad towards countries elsewhere in the world.

Within this context, a National Training Plan for Carabineros de Chile was put into operation in 2006. The Plan, intended for personnel engaged in professional work in Chile's frontier units, is designed to ensure that they are knowledgeable in respect of new threats arising in connection with terrorism.

With regard to Investigative Police, the National Department of Aliens and International Police (*Jefatura Nacional de Extranjeria y Policia Internacional*) has an Aliens Analysis Group, whose mandate includes entering in the institution's database all persons connected with the Al-Qaida terrorist group or the Taliban, as indicated in Security Council resolution 1267 (1999).

It also maintains close coordination with other national defence institutions (army, navy, Carabineros, etc.) that are also dedicated to the country's internal security, all under the central coordination of the National Inteligence Agency.

In the area of border controls, there exists close and fluid communication between the Chilean control services (National Customs Service and Agriculture and Livestock Service (*Servicio Agricola y Ganadero*)) charged with frontier inspection as well as with the immigration institutions of neighbouring countries (Argentina, Bolivia and Peru). This has permitted the creation of appreciable information networks, making it possible for relevant records to be entered into the institutional information system GEPOL, through Interpol.

Another measure currently being applied is the use of the Saturn system at Arturo Merino Benitez International Airport, within the framework of the Integral Improvement of Migration Control (*Mejoramiento Integral del Control Migratorio*) project, which consists of three security rings involving the technological integration of travel-document authentication systems, biometric facial feature recognition and biometric fingerprint recognition, all of which together result in integral, coordinated work for effective border control.

During this phase a technological base was generated, constituting the first barrier for detecting terrorist agents or internationally wanted persons. The base operates through the central servers of the migration control system. This technological initiative also stores a facial biometrics database (such as connections to the Civil Registry and Identification Service and the criminal Automated Fingerprint Identification System (AFIS) of the Chilean Investigative Police). A second phase of implementation of this technology is planned in land immigration control, where there is a greater flow of passengers at the national level. The Immigration Control Automation project is currently being developed at the Chacalluta International Police outpost, situated in the city of Arica, which borders on the Peruvian city of Tacna.

In addition, the National Central Bureau of Interpol, Santiago, maintains constant contact with 184 member countries of Interpol, especially its General Secretariat in Lyon, through two police officers, and also with the Interpol Sub-Regional Bureau in Buenos Aires, Argentina.

The National Central Bureau has an electronic mail section that operates on the Internet platform by means of a virtual private network that facilitates safe, reliable information delivery in addition to permitting immediate analysis and identification, with a view to the application of the law on an international scale.

International messaging service (e-mail) makes it possible to receive and send official messages, using an encoded system that guarantees speed, safety and reliability in the handling of confidential information for police purposes, and also to exchange information. It has different archives that afford access to various items, such as: list of international notices concerning terrorists, report on detentions, bioterrorism, arms and explosives, and others.

Information received from abroad is entered into the institutional computer system GEPOL so as to enable personnel stationed at various border posts and other officials with authorized access to consult it.

In the event of detection of an international criminal concerning whom an order or notice has been issued and who seeks to enter or leave the country, the control officer contacts the National Central Bureau of Interpol and reports the background of the case. Also contacted are the competent administrative authorities of the Department of Aliens and Immigration (*Departamento de Extranjería y Migración*) placed under the Ministry of the Interior, who either authorize the entry of the alien into the country or do not, in accordance with the legal regulations in force. In case of detection of persons who represent a certain danger, operational police units are also notified with a view to the adoption of the appropriate procedures.

In connection with Chile's implementation of Security Council resolution 1373 (2001) and the order issued in Decree No. 488 of 4 October 2001, a series of activities aimed at preventing terrorist acts are being coordinated by the police. The tactical and strategic units of the Criminal Investigation Units have been strengthened and up-to-date coordination and communication facilities have been established with Interpol and the offices of immigration, drug control and intelligence, not only through the administrative system, but also through the use of a direct-communication "technical channel" that makes it possible to maintain proper identification of aliens suspected of committing terrorist or other illegal acts.

With a view to preventing persons connected with terrorism from entering Chile, instructions have been issued to the staff of the National Central Bureau of Interpol. The Bureau has a police officer from the Criminal Investigation Unit who is on duty on a full-time basis at the Interpol General Secretariat and two police officers at the Sub-Regional Bureau in Argentina for the purpose of maintaining direct contact at all times with their counterparts throughout the world. This makes it possible to communicate all international terrorist information to all Investigative Police border control posts throughout the country. What is described here is a useful system, given its early-warning character.

- **Analyses of the efficiency and effectiveness of counter-terrorism legislation and relevant legislative amendments**:

  Relevant analyses and studies are being carried out in this regard.

Effectiveness of controls preventing access to weapons by terrorists

1.9 **With respect to paragraph 2 (a) of resolution 1373 (2001) on eliminating the supply of weapons to terrorists, the Committee welcomes Chile's provision of information on the relevant provisions of its Penal Code and Arms Control Act and would appreciate further details concerning the safeguards employed to prevent firearms, ammunition and other weapons manufactured in Chile from being diverted to any unauthorized group or entity.**

As indicated in previous reports, without prejudice to the measures carried out by the law-enforcement, security and intelligence agencies (Investigative Police, Carabineros de Chile, National Intelligence Agency), the control and supervision of

weapons, munitions, explosive and similar items are ensured by the Directorate of National Mobilization, which is placed under the Ministry of National Defence.

This function is carried out at the national level through the inspection authorities, constituted by the armed forces garrison commands and the Carabineros de Chile authorities.

For control purposes, the Directorate keeps national registers of persons and of weapons, munitions consumption, and purpose and use of explosives, for whose manufacture, assembly, transformation and importation prior permission must be requested, as well as for installations.

The Directorate of National Mobilization acts as central authority for the coordination of all implementing, monitoring and advisory authorities in the field of arms control. There exist a total of 63 monitoring and implementing offices throughout national territory, which take concrete shape in the form of armed forces garrison commands and Carabineros de Chile units.

One of the advisory authorities is Banco de Pruebas de Chile, which provides specialized technical advice to the Directorate of National Mobilization for assessing the danger level, stability and quality of items subject to control. The Armed Forces specialized services are also taken into consideration in this context.

Act No. 17,798, on arms control, was amended several times in 2005, by Acts Nos. 20,014 and 20,061, which, among other things, include, under weapons whose possession is prohibited, those whose serial numbers have been falsified or deleted, bombs or incendiary devices and weapons that are hand-made or have been modified with respect to their original condition without the authorization of the Directorate of National Mobilization.

The amendments also established new requirements for registering a weapon, including the following:

The applicant must:

- Be of legal age;
- Have a known domicile;
- Prove that he has knowledge concerning the keeping, maintenance and handling of the weapon and possesses physical and psychological aptitude compatible with the use of weapons; such proof must be furnished every five years;
- Not have been found guilty of any crime or misdemeanour;
- Not have been the object of a writ for the institution of a trial;
- Not have been punished in proceedings connected with the Domestic Violence Act.

With regard to permits to bear arms, the Act establishes that they may be granted only in cases that qualify and pursuant to a reasoned decision. In addition, it grants the Directorate and control authorities powers to deny, suspend, limit or place conditions on such permits by virtue of a reasoned decision.

The Act further provides that no more than two weapons may be registered in the name of any person, with the exception of authorized sportspersons, collectors, hunters and merchants.

As pointed out in previous reports, Act No. 17,798 establishes penalties for all acts which violate it, ranging, according to the gravity of the offence and circumstances in which it is committed, from monetary fines to life imprisonment for crimes committed in time of war.

By way of general information, it may be mentioned that the changes made to the Act in 2005 relate to aggravation of penalties and the fact that the voluntary surrender of weapons or prohibited items to the control authorities constitutes an exonerating circumstance.

Regarding the specific question on the effectiveness of controls preventing access to weapons by terrorists, attention may be drawn to the following:

- The Penal Code is reinforced by the application of Act No. 18,314, which defines terrorist acts and establishes the related penalties, and Act No. 12,927, on Internal State Security. Both acts provide severe penalties for violations of their provisions;
- Act No. 17,798, on the control of arms and explosives, which has already been mentioned, requires the Directorate to maintain constant contact with Customs on the entry of weapons or items which are not those permitted by law or used for the purposes stipulated in the Act;
- Weapons confiscated by courts as a result of the perpetration of crimes are not sold at auction; in other words, they do not return to the hands of the same criminals, who might acquire them; rather, the vast majority of them are destroyed, the rest being earmarked for use by the armed forces and the Carabineros;
- The ever stricter qualifications for the procurement of arms make it virtually impossible for them to be acquired by anyone who has committed a crime;
- The ongoing contact of the police with the Directorate of National Mobilization prevents acquisition of arms by terrorists. As for explosives, there are controls governing them that apply to those who use them in activities such as mining, agriculture or road works;
- Further controls involve the requirement, in the case of exports, that the final destination be authenticated by the receiving Government and, in the case of materiel for military use, that it also be approved by the Ministry of Defence on the advice of the War Materiel Commission and the Ministry of Foreign Affairs concerning the rating of the receiving country.

Effectiveness of international cooperation in criminal matters

1.10 **The Committee acknowledges that Chile has established a mechanism to communicate with the International Criminal Police Organization (Interpol) Headquarters and with its regional office in Argentina and, through them, to exchange information with other States. The Committee also understands that there is regular contact between Chile's Criminal Investigation Department and its counterparts in various other countries. What bilateral and multilateral treaties permit and facilitate the exchange of information and cooperation between Chile and other States? In the absence of such a treaty, what is the legal basis for exchange and cooperation?**

It should be pointed out that Chile has ratified 12 of the 13 universal international treaties relating to counter-terrorism, which generally call for legal cooperation and information exchange as one of their central elements. Chile also complies with all the recommendations that arise within the United Nations, such as Security Council resolutions 1267 (1999), 1373 (2001) and others that point in the same direction.

In particular, international cooperation in criminal matters takes place at a variety of levels. The first relates to the exchange of information via Interpol on persons with criminal records contained in its databases. In the second place, Chile is currently a party to a number of multilateral and bilateral treaties on mutual legal assistance in criminal matters and extradition as well as others on international criminal law that contain provisions of the same kind. It has also undertaken to study new treaties and, in some cases, to update existing ones. Thirdly, in addition to the above, mechanisms for letters rogatory with foreign courts are established in Chilean legislation. Finally, it should be noted that the Public Prosecutor's Office has been implementing numerous bilateral agreements, since they entered into force in 2000, with its counterparts in other countries.

Chile offers broad cooperation on the basis of the terms agreed upon in treaties or conventions. Where there is no specific treaty to govern international assistance requirements, recourse is had to the general principles of international law.

By way of information, a list of international conventions on international legal cooperation, legal assistance and extradition to which Chile is a party is annexed as attachment 1 (universal international treaties relating to terrorism are excluded).

1.11 **In order effectively to implement paragraphs 2 (a), (c) and (g) of resolution 1373 (2001), States should ensure that effective border controls are implemented by their customs, immigration and other competent authorities. The Committee would appreciate information on Chile's customs monitoring along its borders with a view to:**

- **Securing the trade supply chain against acts of terrorism; and**
- **Detecting illegal transborder movement of arms, ammunition and explosives.**

Within the Asia-Pacific Economic Cooperation (APEC) forum, Canada has promoted an initiative aimed at improving the response to border incidents, which seriously affect the goods supply chain. It is aimed, in the initial phase, at

identifying national contact points for the management of catastrophic events at borders, and thereafter at building a network of contacts to plan programmes for the rapid, safe restoration of border trade. Chile is currently studying the proposal, inasmuch as it has certain strengths that would facilitate its implementation.

In addition, Chile's National Customs Service is carrying out various plans to safeguard the goods supply chain. For that purpose it has a series of projects, approved and in progress, aimed at improving risk management through intelligence analysis, control of electronic information transmission, interconnectivity with other agencies, traceability of operations and advance knowledge of cargo, to name a few.

1.12 **How does Chile monitor its borders between points of entry in order to ensure that these areas are not used to stage terrorist activities against its neighbours and to defend against potential terrorist infiltration? Does Chile have cooperative arrangements with bordering States aimed at preventing cross-border terrorist acts? If so, please explain.**

Under article 10 of the Aliens Act and article 4 of Supreme Decree No. 597 of 1984 (Aliens Regulation), it is the task of the Chilean Investigative Police or, in places where no Investigative Police units exist, of Carabineros de Chile (national police force), to control aliens' entry into and departure from the country and prevent persons who do not meet the requirements from entering or leaving national territory.

Chile also makes every effort to keep its border personnel duly trained with respect to the scope and level of the threat represented by international terrorism. Carabineros de Chile, for example, carries out an annual training plan in such areas for its staff who perform subsidiary border-control work.

It should be noted that since 1997 our country has maintained border-committee agreements with Argentina and Bolivia and, since 1999, with Peru. The committees hold periodic bilateral meetings at which they take up various topics related to border integration. Over the past few years, particularly significant development has taken place in the relationship with Argentina, with the establishment of integrated border-control mechanisms.

Chile also makes every effort to ensure that immigration control agencies constantly incorporate and update information obtained from international entities, such as the United Nations Counter-Terrorism Committee or Interpol, with a view to detecting any passage of the persons concerned through the country. Going hand in hand with this, both police bodies, Carabineros de Chile and the Chilean Investigative Police, engage in ongoing information exchange with their counterparts in neighbouring countries within the framework of mutual cooperation agreements between the institutions. Such information exchange can also be extended to the realm of cooperation between intelligence agencies, in this particular case between the National Intelligence Agency and its neighbouring counterparts.

Finally, the Permanent Working Group on Terrorism created under the aegis of the Ministers of the Interior of MERCOSUR holds periodic meetings at which various aspects of transboundary security are analysed.

1.13 In order effectively to implement paragraphs 2 (c) and (g) of resolution 1373 (2001), States should put in place strong border controls in order to prevent the movement of terrorists and the establishment of safe havens. Please describe the legal and administrative procedures in place to protect port facilities and ships, persons working in such locations, cargo transport units, offshore installations and ships' stores from the risk of terrorist attacks. Have the competent authorities in Chile put in place procedures to periodically review and update transport security plans? If so, please outline these procedures.

In 2005, Chile ratified the amendments to the International Convention for the Safety of Life at Sea (SOLAS 74), calling for the entry into force of chapter XI-2, the International Code for the Security of Ships and Port Facilities (ISPS Code), which, among other measures, provides for the preparation of assessments and security plans for ships and port facilities.

These measures were reviewed and approved by the Directorate of the Maritime Territory and Merchant Navy, which, on behalf of the Chilean State, issued the certificates of compliance with the security measures called for, including the mitigation measures necessary to deal with threats such as terrorism and drug trafficking. This involves the provision of safety equipment, the training and preparation of personnel and the establishment of control processes and accesses, in close coordination with the local maritime authorities.

The ship security plans include measures for the following:

- Organizing and carrying out ship security tasks;
- Controlling access to the ship;
- Restricted areas on board;
- Cargo handling;
- Delivery of the ship's stores;
- Checking accompanied and unaccompanied baggage (on passenger ships);
- Surveillance of the ship's security.

The port facility security plans include measures for the following:

- Organizing and carrying out port facility security tasks;
- Controlling access to the port facility;
- Restricted areas within the port facility;
- Cargo handling;
- Delivery of the ship's stores;
- Checking accompanied and unaccompanied baggage;
- Surveillance of port facility security.

In addition, the Navy, through the Directorate of the Maritime Territory and Merchant Navy, has provided training and qualification to ship and port facility security officers as well as to its own officers and personnel with a view to maintaining control over compliance with the regulations adopted.

Security plans, moreover, are subject to audits by the Maritime Authority in accordance with an annual programme and must be constantly practised and corrected for any deficiencies detected.

For the eventuality that a situation connected with terrorist acts might occur, a special group of Maritime Police personnel has been prepared and trained.

On the basis of circumstances and available information, the Government of Chile establishes the security levels that must be maintained for both ships and port facilities.

It should also be mentioned that the Chilean Navy participates, through the Directorate of Intelligence, in the Cooperative Inter-American Naval Intelligence System (*Sistema Interamericano Cooperativo de Inteligencia Naval (SICIN)*) together with the rest of the continent's navies that make up the Inter-American Naval Conferences. Under this mechanism of cooperation and information exchange in the face of various common threats, terrorism is considered one of the activities subject to monitoring, as part of the topic "illicit maritime transfers and terrorist use of the seas".

1.14 **In the context of paragraphs 2 (b) and (g) of resolution 1373 (2001), has Chile implemented the standards and recommendations of the International Civil Aviation Organization (ICAO) as described in annex 17 to the Convention on International Civil Aviation? What are the outstanding issues?**

Yes, Chile has implemented the ICAO standards and recommendations as described in annex 17 to the Convention. In 2005, it published the National Civil Aviation Security Programme (*Programa Nacional de Seguridad de Aviación Civil*), complying with standard 3.1.1 of annex 17, which contains internationally recommended practices and procedures whose purpose is to protect international civil aviation operations against unlawful acts of interference perpetrated on the ground or in the air; ensure the safety of passengers, crews, ground personnel and the general public; and safeguard facilities and services within airport precincts.

The said standards became applicable in Chile under the Regulation on Security, Protection of Civil Aviation against Unlawful Acts of Interference — DAR-17 (*Reglamento sobre seguridad, protección de la aviación civil contra actos de interferencia ilícita — DAR 17*), which was approved by Supreme Decree No. 45 of 18 February 2004, published in the Official Gazette (*Diario Oficial*) of 17 May 2004.

The principal objective is the safety of passengers, crews, ground personnel and the general public in all aspects relating to protection against unlawful acts of interference in civil aviation, including the diversion of aircraft in flight; seizure of aircraft on the ground; hostage-taking aboard aircraft; forcible intrusion into an aircraft, an airport or the precinct of an aeronautical facility; the bringing of weapons, devices or substances intended for criminal purposes aboard an aircraft or into an airport; the communication of false information affecting the safety of aircraft in flight, on the ground or in aeronautical facilities; and any other circumstance that compromises the safety of civil aviation.

Lastly, the Directorate of Civil Aviation is currently in the process of certification to the ISO 9000 standards, for which the Aviation Security Service (AvSec) has been accredited.

Among pending questions, it should be mentioned the said Directorate is working on the implementation of standard 3.1.6 of the said annex 17, which refers specifically to the establishment of the National Committee on Civil Aviation Security in Chile.

2. Implementation of Security Council resolution 1624 (2005)

Paragraph 1

2.1 What measures does Chile have in place to prohibit by law and to prevent incitement to commit a terrorist act or acts? What further steps, if any, are under consideration?

Chile has Act No. 18,314, which defines terrorist acts and establishes the related penalties.

2.2 What measures does Chile take to deny safe haven to any persons with respect to whom there is credible and relevant information giving serious reasons for considering that they have been guilty of incitement to commit a terrorist act or acts?

Chile is a party to the 1951 Convention on the Status of Refugees and consequently adheres to the precepts established therein. Account is taken, in particular, of article 1 (F) of the Convention, which provides as follows:

> F. The provisions of this Convention shall not apply to any person with respect to whom there are serious reasons for considering that:
>
> (a) He has committed a crime against peace, a war crime, or a crime against humanity, as defined in the international instruments drawn up to make provision in respect of such crimes;
>
> (b) He has committed a serious non-political crime outside the country of refuge prior to his admission to that country as a refugee;
>
> (c) He has been guilty of acts contrary to the purposes and principles of the United Nations.

Paragraph 2

2.3 How does Chile cooperate with other States in strengthening the security of its international borders with a view to preventing those guilty of incitement to commit a terrorist act or acts from entering their territory, including by combating fraudulent travel documents and, to the extent attainable, by enhancing terrorist screening and passenger security procedures?

In general, this takes place through the mechanisms indicated in section 1.12. It should also be mentioned, however, that Chile has been implementing new technologies in the production of identification and travel documents. This, added to the acquisition of more modern technological methods for personal identification and document verification, raises the security standards at points of entry into the country. In this connection, an increase in the number of border posts equipped with biometric technology, currently existing only at Santiago airport, is being studied. In

addition, the national authorities are currently studying the possibility of implementing the Advanced Passenger Information (API) system.

Paragraph 3

2.4 **What international efforts is Chile participating in or considering participating in/initiating in order to enhance dialogue and broaden understanding among civilizations in an effort to prevent the indiscriminate targeting of different religions and cultures?**

The Minister for Foreign Affairs, in his presentation before the National Congress on 4 April 2006 entitled "Strategic vision of Chile's place in the world", stated that Chile fostered multilateralism, as a strategic commitment of its foreign policy, reflected at the subregional, regional and global levels, and cooperation, as an effective and essential instrument for carrying that policy forward. The Minister added that those priorities were protected by the fundamental premise of the promotion of and respect for democracy and human rights, considered both as an ethical commitment and a symbolic commitment.

In consequence, Chile participates in the various international forums in which the dialogue among civilizations takes place, such as the United Nations and the Organization of American States (OAS).

Over its history, Chile has backed various United Nations resolutions on the subject. One of them is General Assembly resolution 60/4, adopted by the Assembly at its sixtieth session, on the Global Agenda for Dialogue among Civilizations, sponsored by Chile and other countries, in which the Assembly "reaffirms that Member States have committed themselves to advancing human welfare, freedom and progress everywhere, and to encouraging tolerance, respect, dialogue and cooperation among different cultures, civilizations and peoples", and "also reaffirms that tolerance and respect for diversity and universal promotion and protection of human rights are mutually supportive, and recognizes that tolerance and respect for diversity effectively promote and are supported by, inter alia, the empowerment of women".

2.5 **What steps is Chile taking to counter incitement of terrorist acts motivated by extremism and intolerance and to prevent subversion of educational, cultural and religious institutions by terrorists and their supporters?**

As already stated, Chile has a law that establishes penalties for terrorist acts.

2.6 **What is Chile doing to ensure that any measures taken to implement paragraphs 1, 2 and 3 of resolution 1624 (2004) comply with all of its obligations under international law, in particular international human rights law, refugee law, and humanitarian law?**

In Chile, all measures adopted in the fight against terrorism are taken with full respect for the international instruments in force, particularly those relating to human rights.

This can be seen from the support given to General Assembly resolution 60/158, entitled "Protection of human rights and fundamental freedoms while countering terrorism", in which the Assembly reaffirms "that States must ensure that

any measures taken to combat terrorism comply with all their obligations under international law and should adopt such measures in accordance with international law, in particular international human rights, refugee and humanitarian law; and resolution 60/43, entitled "Measures to eliminate international terrorism", in which the Assembly affirms "that States must ensure that any measure taken to combat terrorism complies with all their obligations under international law and adopt such measures in accordance with international law, in particular international human rights, refugee and humanitarian law".

Within the OAS, Chile supported resolution 2137 of 2005, relating to the work of the Inter-American Committee against Terrorism (CICTE), operative paragraph 3 of which expresses the commitment that the fight against terrorism and the financing thereof should be within the framework of full respect for international law, international humanitarian law, human rights and refugee law.

3. Assistance and guidance

The Government of Chile takes note of the importance that the Committee attaches to the provision of assistance and advice in connection with the implementation of Security Council resolutions 1373 (2001) and 1624 (2005).

The Government has also had recourse to the Terrorism Prevention Branch, a subdivision of the United Nations Office on Drugs and Crime, within the framework of its Global Programme against Terrorism. This involved a request by Chile for information on comparative law, with a view to being able to freeze assets administratively. Some background on the question was provided.

The Government will notify the Committee, if necessary, of any areas in which it wishes to receive advice for the implementation of resolution 1373 (2001) and 1624 (2005).

4. Further guidance and submission of further report

In compliance with point 4.2 of the Committee's letter referred to in the introduction to this report, the Government of Chile transmits the present document, together with its annexes, in response to the questions and observations formulated in the said letter. This report may be published in full as a document of the Security Council.

Once again, the Government of Chile reiterates its willingness to cooperate with the Counter-Terrorism Committee in compliance with resolutions 1373 (2001) and 1624 (2005) and pledges its readiness for future consultations on this issue.